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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,829	09/30/2003	Stephen Burns	021756-003300US	3773
51206 7590 08/23/2007 TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834			EXAMINER BASEHOAR, ADAM L	
			ART UNIT 2178	PAPER NUMBER
			MAIL DATE 08/23/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/676,829	Applicant(s) BURNS ET AL.	
	Examiner Adam L. Basehoar	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: The Amendment filed 05/30/07 to the original Application filed 09/30/03.
2. Claim 1-4, 6-14, 16-19, 21-25, and 27-29 remain rejected under 35 U.S.C. 102(b) as being anticipated by Anuff et al (US-6,327,628 12/04/01).
3. Claims 5, 15, and 26 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al (US-6,327,628 12/04/01).
4. Claim 20 remains rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al (US-6,327,628 12/04/01) in view of Maslov (US-6,538,673 03/25/03).
5. Claims 1-29 are pending in this case. Claims 1, 11, and 23, are independent claims.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 1-4, 6-14, 16-19, 21-25, and 27-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Anuff et al (US-6,327,628 12/04/01).

-In regard to substantially similar independent claims 1, 11, and 23, Anuff teaches a method for generating a page/graphical user interface, the method comprising:

receiving access information declaratively specified by a user during an interactive session (column 2, lines 1-12; column 3, lines 44-67; column 4, lines 1-14), the access

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information associated with a data source (column 3, lines 58-67; column 4, lines 1-5; column 7, lines 5-25; column 10, lines 52-62; column 13, lines 53-67; column 14, lines 1-9);

receiving layout information declaratively specified by the user during the interactive session, the layout information indicative of a visualization of the data in the data source (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b);

determining a data source specification based on the access information (column 3, lines 61-67; column 4, lines 1-5; column 7, lines 5-25; column 10, lines 52-67);

determining a layout specification based on the layout information (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b);

generating a portlet (i.e. module) configured to display data specified by the data source specification according to the visualization indicated by the layout specification (column 2, lines 1-12; column 3, lines 40-56; column 4, lines 6-15; column 7, lines 5-25; column 13, lines 55-67; column 14, lines 1-30)(Figs. 2 and 10-12);

retrieving data for the data source based on the data source specification and the access information (column 7, lines 5-25; column 10, lines 52-67); determining a layout for the data based on the layout specification (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b); and generating the page based on the portlet using the data and the determined layout (column 2, lines 1-20; column 3, lines 44-65: "HTML web page")(Fig. 2).

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-In regard to dependent claims 2, 12, and 24, Anuff teaches wherein the data source specification comprises a data type for the data source (column 3, lines 61-67; column 4, lines 1-5; column 7, lines 5-25; column 10, lines 52-67).

-In regard to dependent claims 3 and 13, Anuff teaches wherein the data type comprises at least one of a spreadsheet data type, XML data type, SQL data type, web service data type, and a web page data type (column 3, lines 61-67; column 4, lines 1-5; column 7, lines 5-25; column 10, lines 52-67).

-In regard to dependent claims 4, 14, and 25, Anuff teaches wherein the access information comprises a path to the data source (column 3, lines 58-67; column 4, lines 1-5; column 7, lines 5-25; column 10, lines 52-62; column 13, lines 53-67; column 14, lines 1-9).

-In regard to dependent claims 6, 16, and 27, Anuff teaches wherein the data source specification comprises a filtering specification that filters data retrieved from the data source (column 7, lines 20-22: "obtain filtered data from a network location").

-In regard to dependent claims 7, and 18, Anuff teaches wherein the layout specification comprises a tabular layout (column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b).

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-In regard to dependent claims 8 and 19, Anuff teaches wherein determining the layout comprises formatting the retrieved data using the specified layout (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b).

-In regard to dependent claims 9, 21, and 28, Anuff teaches wherein the page comprises a web-based page (column 3, lines 44-47: "HTML web page")(Fig. 2).

-In regard to dependent claims 10, 23, and 29, Anuff teaches wherein the page comprises a portlet (column 3, lines 44-47: "modules containing the resources")(Fig. 2).

-In regard to dependent claim 17, Anuff teaches wherein the layout interface comprises one or more layout options that enables the user to declaratively specify a layout type (column 2, lines 3-12; column 4, lines 6-14; column 7, lines 65-67; column 8, lines 1-64)(Fig. 5a & 5b).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 5, 15, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al (US-6,327,628 12/04/01).

-In regard to dependent claims 5, 15, and 26, Anuff teaches wherein the user can customize the portal to access a particular type of resource on a network (column 3, lines 58-67; column 4, lines 1-5). Anuff also teaches wherein the user selected accessed resource could be external web sites (column 7, lines 5-25; column 10, lines 52-67). Anuff does not specifically teach wherein the access the path to these resources comprises a URL. It would have been obvious to one of ordinary skill in the art at the time of the invention for the access of said web sites to have included utilizing the sites URL's, because it was notoriously well known at the time of the invention that URL's provided the benefit of accessing resources on the Internet.

10. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al (US-6,327,628 12/04/01) in view of Maslov (US-6,538,673 03/25/03).

-In regard to dependent claim 20, Anuff teaches wherein the user can customize the portal to access a particular type of resource on a network (column 3, lines 58-67; column 4, lines 1-5). Anuff also teaches wherein the user selected accessed resource could be external web sites (column 7, lines 5-25; column 10, lines 52-67). Anuff does not specifically teach wherein the data source interface does not include the access information for the data source before it was declaratively specified by the user. Maslov teaches wherein the data source interface includes the access information (i.e. URL) for the data source only after it was declaratively specified by the user (column 5, lines 43-45 & 63-67; column 8, lines 56-62: "includes URL address"). It would have been obvious to one of ordinary skill in the art at the time of the invention for the data source interface to have not included the access information before the user specified the data source, because Maslov teaches that it was notoriously well known in the art that before the

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interface could know the access information the user must have browsed to the data source first (column 5, lines 43-45 & 63-67; column 8, lines 56-62: “includes URL address”). Maslov taught that this provided the benefit of only showing/storing the access information of specific user designated data sources (column 5, lines 43-45 & 63-67; column 6, lines 15-19; column 8, lines 56-62: “includes URL address”).

### ***Response to Arguments***

11. Applicant's arguments filed 05/30/07 have been fully considered but they are not persuasive.

-In regard to independent claim 1, Applicant argues that Anuff fails to teach or disclose, “generating a portlet...configured to display data specified by a data source specification according to a visualization indicated by a layout specification.” The Examiner respectfully disagrees with the Applicant. Anuff clearly teaches wherein a during an interactive session (column 4, line 1: “interacting with any one of the modules”) a user could declaratively specify specific data sources (column 4, lines 12-15: “select which news sources are to be used for selection of headlines”; column 7, lines 5-24; column 13, lines 53-65) associated with a particular type of data resource as well as declaratively specify layout information of a visualization of the data in the data source (column 2, lines 9-10: “layout may be user-controllable”; column 3, lines 55-56: “revise the layout of the portal”; column 13, lines 53-65)(Figs. 2 and 10-12). Thus Anuff teaches generating a specific module view (i.e. portlet) configured to display data selected by the user during the interactive session and according to the layout visualization (column 13, lines 53-65: “each module generates HTML...designated by



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the layout”; column 14, lines 3-9: “module view object contains display logic for its module...generates the HTML for its front-page view”).

Applicant further argues that allowing users to arrange the layout of page of modules does not teach or suggest that the users may declaratively specify the visualization of data from a data source. The Examiner respectfully disagrees with the Applicant. The Examiner believes that the Anuff reference teaches said visualization in two separate ways. First, as noted by Applicant, Anuff teaches being able to arrange the order, positioning, and inclusion/exclusion of a plurality of modules (column 4, lines 1-15). In this way the data retrieved from the different resources and associated with a specific module are visualized at a specific position within the portal page based on the selected user preferences. The second way, in which Anuff teaches layout visualization, was by the user selectability of different content sources within a specific module (column 13, lines 53-67; column 14, lines 1-30). Anuff teaches that a user may select within a given module view object, a plurality of available categories of resources to be displayed (Figs. 2 and 10-12) and thus provide a specific layout visualization of the requested data.

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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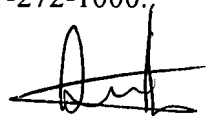
the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ALB

  
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SUPERVISORY PATENT EXAMINER